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TAGS: PHUM PREL PGOV TX UN

SUBJECT: PRESIDENT BERDIMUHAMMEDOV TELLS UN HIGH
COMMISSIONER FOR HUMAN RIGHTS ARBOUR HE WANTS TO COOPERATE

Summary

¶1. (SBU) UN High Commissioner on Human Rights Louise Arbour characterized her first meeting with Turkmenistan's President Berdimuhamedov on May 3 as "extremely cordial and positive," though she told the Charge later that she had "received the run-around" on a number of issues, including freedom of movement and prison access by independent organizations. That said, Berdimuhamedov and Arbour agreed to continue cooperation and contact. The fact that Arbour was able to come to Turkmenistan at all -- and to meet with the president -- was a major step forward in elevating the level at which the dialogue on rule of law is taking place. End Summary.

Meeting with President "Extremely Cordial"

¶2. (SBU) Arbour gave the Charge on May 4 a brief read-out of her meeting with Berdimuhamedov, which had been "extremely cordial and positive." Arbour said that, while it was hard to judge how much the president took in, he was responsive, muttering "of course, of course" in Russian often throughout the meeting. Arbour was unsurprised by her good reception, noting that the real success of a visit often could not be judged until further into a relationship; barriers often did not appear until "further down the food chain." Still, the fact that Arbour was allowed to come to Ashgabat and to meet with the president was "big;" Geneva had been predicting that she would not get presidential access. Arbour also was given a "working-level" meeting with Deputy Chairman/Foreign Minister Rashit Meredov, the only person (in the Charge's words) that was able to communicate to Berdimuhamedov what the world thought of Turkmenistan and why that opinion was important. Arbour agreed with the Charge's assessment.

Arbour Given "Run-Around" on Freedom of Movement...

¶3. (SBU) Arbour said she raised freedom of movement issues with the president, but was "given the run-around;" she was told that the only people who were not allowed to travel were those who were under some kind of criminal investigation. She noted that Turkmenistan's authorities did not seem to have instituted the travel ban because they were worried about a mass exodus; instead, the point seemed to be control and arbitrariness. The Charge discussed the U.S. experience in raising freedom of movement/Jackson-Vanik issues. Although authorities did not admit the black list's existence, the Charge had seen the list in one case; then, when the embassy pressed them further on the issue, officials -- including Meredov -- went into overly legalist explanations, stating that the travel restrictions were only "temporary."

...and on Prison Conditions and Access

¶4. (SBU) Arbour said that she had raised prison conditions and access by independent groups, but did not get a straight picture from her meetings of the situation. At Arbour's request, the Charge related the history of the international community's efforts to get the International Committee of the Red Cross (ICRC) access to Turkmenistan's prisons: the United States and others had previously vigorously engaged on this issue with the government, but backed off at ICRC's request when the organization decided to change its tactics. Although the United States continued to raise the issue, it did so less vocally than previously. Meanwhile, ICRC access still seemed to be stuck on the issue of allowing representatives access without the presence of government

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representatives to the group the government referred to as "terrorist," i.e., those associated with the 2002 assassination attempt on Niyazov. Arbour noted that prison access should not be pinned solely on the ICRC; other independent groups could also perform this action. What was important was ensuring that experienced people had independent access.

Amnesty Law "Scandalous"

¶5. (SBU) Arbour noted that Berdimuhamedov had seemed very proud of Turkmenistan's amnesty law, under which thousands of prisoners were amnestied every year. This was scandalous and a real problem, because the law's existence demonstrated that there was corruption in charging people with crimes; any prisoner in Turkmenistan's prisons in a sense could be classified as a political prisoner because he had been unable to pay for an amnesty. It was clear there was no rule of law in Turkmenistan, nor was there a sense of justice. She believed the country's entire law enforcement sector was problematic.

Commission on Law Enforcement Activities Receiving Complaints

¶6. (SBU) In citing his administration's achievements, Arbour said, Berdimuhamedov had included the establishment of a presidential commission to address citizens' complaints about law enforcement activities. The Charge said that Myrat Yslamov, the commission's chairman, actually talked to the U.S. Embassy; he was one of the few officials who actually seemed to understand foreign concerns. Apparently Yslamov's commission was receiving many complaints.

Berdimuhamedov Agreeable on Access to Information

¶7. (SBU) Arbour said that Berdimuhamedov could not have been more agreeable when the issue of access to information came up. The Charge responded that, even though

Berdimuhammedov promised access to Internet for all, the type of access was a problem: all cafes were state-run; cafe operators took users' passports and monitored all Internet access. In addition to this, citizens were charged \$3 per hour -- a steep price for most average citizens. Despite this, the embassy had found out that almost everybody had an e-mail address. But the public Internet cafes could hardly be considered broad-based "access."

Both Sides Agree to Do More

¶ 8. (SBU) Arbour confirmed state-run media reports that Berdimuhammedov agreed to continue the cooperation between Turkmenistan and the UN High Commissioner on Human Rights. She was glad of this; the bar on comprehending legal rights and protections was very low in Turkmenistan. She agreed with the Charge that almost nobody -- either citizens or officials -- seemed to understand the basic concepts behind rule of law; there was much work to be done in Turkmenistan.

Media Coverage of Visit Positive

¶ 9. (U) The state-run media ran a very positive, front-page article on Arbour's visit May 4. Coverage focused primarily on Berdimuhammedov's presentation to Arbour on his country's democracy and human rights accomplishments, including Turkmenistan's implementation of UN conventions on elimination of discrimination, children's rights and others.

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Comment

¶ 10. (SBU) Arbour's visit and meeting with Turkmenistan's president was significant. Berdimuhammedov agreed to the visit the weekend before his inauguration, and it appears that, unlike his successor, he recognizes that world opinion counts. That said, as Arbour noted, there clearly was much to be done here; despite increased stress here of the importance of rule of law, only a handful seemed to understand the concept, and any efforts to address human rights and rule of law issues were likely to face resistance for some time to come. Still, Arbour's visit has offered a forum for getting mention of these issues into the state-run press and -- post hopes -- added impetus for the president to broaden his reforms to the basket of the most difficult issues -- democracy and human rights. End Comment.

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